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**Not for service*

December 26, 2023

BY ECF

Hon. Jennifer L. Rochon
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Kushneir, et al. v. Esposito, et al.*, 14-cv-9148 (JLR)(BCM)

Your Honor:

I am co-counsel for Plaintiff Mark Kushneir. Plaintiff intends to move for reconsideration and/or reargument of the Court's December 13, 2023 determination to charge the jury on nominal damages only. Plaintiff ordered the transcript of the December 13, 2023 proceedings on December 15, 2023 and received it on December 20, 2023. Counsel determined to move for reconsideration and/or reargument on Friday, December 22, 2023. Under Local Civil Rule 6.3, such a motion would be due tomorrow, December 27, 2023.

Given the timing, I now write to ask that the Court extend the deadline by which Plaintiff must move for reconsideration and/or regargument until January 29, 2024.

There has been no prior application for this relief. Defendants consent. Granting the application would not impact any other deadlines in the case.

Thank you for your attention to this matter.

Respectfully submitted,

/S/

Gideon Orion Oliver